



# State of New Hampshire

DEPARTMENT OF SAFETY  
JAMES H. HAYES BLDG. 33 HAZEN DR.  
CONCORD, N.H. 03305  
603/271-2559

JOHN J. BARTHELMES  
COMMISSIONER OF SAFETY

EARL M. SWEENEY  
ASSISTANT COMMISSIONER

December 17, 2008

Pursuant to RSA 266:72-a and 49 CFR 390.23 (2) (A) as incorporated by New Hampshire Code of Administrative Rules Saf-C 901.01, and upon finding that a significant risk to the health or safety of the public will not result, the New Hampshire Department of Safety, acting on its own motion to ensure the continuation of services essential to the public safety and health, grants the following exemptions:

- TYPES OF OPERATIONS:** Delivery of propane natural gas and/or home heating fuels to residential and commercial establishments.
- Operation of vehicles owned or leased to electric power utilities, telephone companies, cable companies and tree services engaged in clearing debris and restoring utilities to areas damaged by the recent ice storm.
- EXTENT OF EXEMPTION:** Requirement to comply with driver's hours of service limitations, as specified in Saf-C 900.
- TERMINATION DATE:** February 1, 2009
- SPECIAL CONDITIONS:**
1. Limited to operators of vehicles making propane natural gas and/or home heating oil deliveries to residential or commercial establishments within the State of New Hampshire and operators of vehicles transporting propane natural gas and/or Home heating oil from terminal locations to propane natural gas and/or heating fuel delivery companies; and to operators of trucks assigned to crews engaging in clearing debris and/or restoring electricity, telephone and/or cable service to residences and businesses within the State of New Hampshire.
  2. Exemption is from requirements of the 60/70 hour rule only. Drivers utilizing this exemption may come back into compliance and re-start the hours of service clock after taking 24 hours off-duty at the end of their period of hours.
  3. Drivers must still comply with the limitations of the 11-hour maximum driving time and 14-hour rule to not drive beyond the 14<sup>th</sup> hour after coming on-duty.
  4. This exemption may only be used when available drivers have reached the 60/70 hour limitation and propane or heating fuel deliveries are necessary to ensure continuation of heating services at a residential or commercial establishment, or in the case of restoration of utility services, when the limitation has been reached and continued activity is necessary to ensure the restoration of essential utilities to residences and businesses.

Signed:

Earl M. Sweeney  
Assistant Commissioner

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